

# Presbyterian court nixes gay compromise: No exceptions to fidelity/chastity standard

by [John Dart](#) in the [March 25, 2008](#) issue

At the last biennial Presbyterian General Assembly, many gay-rights supporters along with many conservatives weary of decades-old fights approved a delicate compromise that kept the ordination standards of “chastity and fidelity” but allowed presbyteries to approve otherwise qualified gay and lesbian clergy candidates who morally objected to the rules.

The idea had been unanimously recommended by a diverse, 20-member theological task force that lifted up an 18th-century church tradition of conscientious exceptions. At the June 2006 General Assembly in Birmingham, Alabama, 57 percent of delegates passed an “authoritative interpretation” of the PCUSA constitution to permit the policy departure, even for noncelibate gay candidates.

There was no rush to ordain gay clergy. Presbyterians routinely cite their caution in regard to details and proper procedure. It seemed the bitter controversy had been tempered, though some strongly conservative congregations voted to leave the PCUSA, many of them aligning with the New Wineskins Presbytery of the 27-year-old Evangelical Presbyterian Church.

Then last month the denomination’s high court ruled that candidates must comply with the sexual behavior standards of the church even if they disagree in conscience with them. The General Assembly Permanent Judicial Commission, responding to a case from Pittsburgh, ruled February 11 that potential ministers must practice fidelity if they are married and observe chastity if they are single—“a mandatory standard that cannot be waived” and, the PJC added, “may only be changed by a constitutional amendment.”

At PCUSA headquarters in Louisville, Kentucky, officials noted that there was surprise and disappointment among progressive Presbyterians. But they also noted

that the PJC, in the three cases it took up, supported some points emphasized by the task force.

The 16-member PJC ruled, for example, that presbyteries and congregations cannot create their own lists of essential requirements for ordination, as some have done. The task force, said stated clerk Clifton Kirkpatrick, has emphasized that examinations of candidates for ministry “needed to be done case by case” without preconditions. These rulings “were not in any major way a repudiation of the theological task force,” asserted Kirkpatrick, who has said he will not seek another term in office at this year’s General Assembly.

Mark Tammen, associate stated clerk and director of constitutional services, said that church progressives had been “a little nervous” with some changes made to the task force recommendations on the convention floor at the 2006 General Assembly. But they hadn’t realized that it was possible for the church to forbid a waiver on behavior. As it turned out, Tammen said, the court in effect held that “you can’t allow someone to be ordained without [the candidate] promising to honor” the fidelity and chastity standard.

Conservative Presbyterians were pleased by the ruling. “We can now rest assured that our standards for ordination in the PCUSA continue to reflect the clear teaching of scripture and the plain meaning of our constitution,” said a statement from Presbyterians for Renewal.

Robert Gagnon, who teaches at Pittsburgh Theological Seminary and posted online a lengthy analysis, suggested that the rulings “give hope to many that we are now on a road to theological sanity and constitutional honesty.”

The word *until* in the decision raised the suspicion of John H. Adams, a frequent commentator on The Layman Online, a conservative Web site. After saying the fidelity/chastity provision may be changed only by a constitutional amendment, the ruling continued: “Until that occurs, individual candidates, officers, examining and governing bodies must adhere to it.”

Why would the PJC members say “until” instead of “unless,” wondered Adams. “Truth be known, the liberal majority of the [PJC] probably prefers scuttling [the provision],” he said.

Liberal groups saw the reversal as a call to arms. New Light Presbyterians, a gay rights advocacy group, said February 18 that it is time to end discrimination in the church. The recent ruling was called “deeply hurtful” by the Covenant Network of Presbyterians. “It harms the church as well as the many gifted and called Presbyterians whose service it would deny,” said network comoderators Jon M. Walton and Deborah A. Block.

Lisa Larges, a lesbian, was on the path to ministry in the San Francisco Presbytery in January, but Jack Haberer, editor of the *Presbyterian Outlook* and a task force member, said that case “does get stopped in its tracks.” Also in January, seminary teacher Paul Capetz, a gay man who left the ministry eight years ago because he would not take the celibacy vow, was reinstated by Minnesota Presbyterians. Both cases face appeals by opponents.

The 217th General Assembly, which meets June 21-28 in San Jose, California, is expected to take up the debate anew—despite the fact that the ruling came shortly before the deadline for “overtures,” or resolutions, to be submitted for consideration.

The John Knox Presbytery, based in southwestern Wisconsin, approved February 16 an overture aimed at overturning the effects of the PJC ruling. Mark Achtemeier, who teaches at Dubuque University Theological Seminary and was a prominent spokesperson for the theological task force, was elected to make the case for the presbytery.

The compromise reached in 2006 was widely thought by its backers to make a crucial distinction between the core—yet undefined—essentials of Presbyterian and Reformed faith and the standards adopted by the denomination.

The John Knox overture argues that the fidelity/chastity requirement in the Presbyterian Book of Order is not an essential. The overture’s rationale is that respecting a candidate’s freedom of conscience “reflects our deep theological conviction that conscience is a means by which God guides the beliefs and behavior of every person who professes faith in Jesus Christ.”